

United States District Court
Eastern District of New York

Derek Raymond Franks
Plaintiff

V

City of New York et al
Defendants

P.O. Danielle Donoghue

P.O. Michele Mazza

P.O. Frank Muirhead

P.O. Robert Woodhouse

SGT Bekim Kalikovic Shield NO. 2428

retired PO Michael Davis

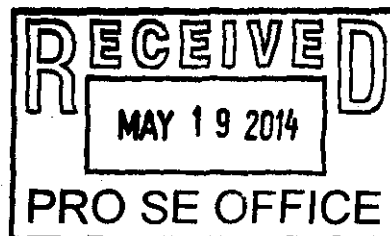
FDNY John Doe

Ems John Doe

Amendment of Claim

1:13-CV-00980

1:13-CV-06254 Kam-rer



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5/21/14
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On Nov, 8 2010 I was coming from the bailbondman office on TargeeSt in the Stapleton section of Staten Island NY. While walk down ThompsonSt enroute to Stapleton train station, there was emergency units Fire truck, Ambulance, police in front of 83 Thompson, as I walk pass I notice my friend Nolan Whistleton being push in A wheelchair with A strap around his arm into A Ambulance once we made I contact he called me to the Ambulance. So I step in the street and ask him what happen he was scream & yelling that he was alright and didnt need to go to the hospital. He Asked me to take A telephone number and call his family, while Im taking the number two cops Approach the back of the ambulance in told me to step AWAY from the Ambulance so I step on the sidewalk and continue to try to get the number. A crowd started to form and I couldnt hear nolan calling out the number so I step in between two car that where parked in front 83 Thompson and got the number (because the rear door of the ambulance where open). That when with no verbal warning that I was in violation Officer Muirhead grab my right arm, and said he's put me in cuffs for his safety. When I asked what I did he punch me in the ribs numerous times

And P.O. Woodhouse start pushing me against A blue van park at the curb. At that time P.O. MAZZA and P.O. Donoghue came over and they all threw me to the ground on my face, And started punching and Kicking me in the face and head. When I went down officer woodhouse jumped on my back with knees in my upper back & neck area. the whole time I had my right hand cuff, and there screaming put your hand behind your back; which was impossible to do with the officer, and the Fireman; Emt worker holding me down and the Female officer punching and Kicking me in the face. A Crowd started yelling for the police to stop beating me, some people started video tapeing the incident. As a result of Excessive use of force I suffered Facial injury to both eyes (subconjunctival Hematoma) multiple Abrasions to my head and back, broken bones in my Face, and A fracture wrist. Also suffered severe headaches, Dizziness, Blurred vision. for over six weeks. There was other officer involed in this, plus the fireman held my down with combined weight of 12 people on top of me, but I havent recieve there name At this time. also the SGT Bekim Kali Kovic order the police to place me in A restrain bag. when I wasnt resisting.

As A result of my injuries as well as the emotional stress and pain an suffering I'm seeking monetary, compensatory punitive damage in the sum of three hundred fifty thousand (\$350,000) Dollars